



*DP* *Zhu*

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Date of Deposit

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Name of Applicant, Assignee or  
Registered Representative

*[Signature]*  
Signature

Our Case No. 10519-30

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)		
Subramanian et al.	)		
Serial No.: 09/939,498	)	Examiner:	D. Vu
Filed: August 24, 2001	)	Group Art Unit:	2818
For: Vertically Stacked Field	)		
Programmable Nonvolatile	)		
Memory and Method of	)		
Fabrication	)		

**COMMUNICATION CONCERNING PATENT TERM ADJUSTMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

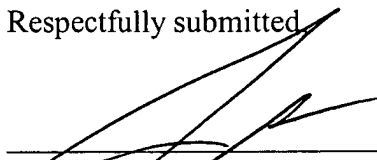
Dear Sir:

The Patent and Trademark Office ("PTO") awarded 0 days of patent term adjustment ("PTA") in the Notice of Allowance. Applicants wish to note what they believe to be an error in the PTA calculation, although it does not affect the PTA awarded in the Notice of Allowance. The PTO attributed a 219-day delay for the October 22, 2004 "Mail Notice of Informal or Non-Responsive RCE Amendment" to the PTO. Applicants believe that this delay should have been

attributed to them. While this error does not affect the PTA awarded in the Notice of Allowance, it may affect the ultimate PTA should any PTA be gained at the issuance stage.

Dated: February 14, 2006

Respectfully submitted



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